UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

| EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, |) |
|---|---|
| Plaintiff, |) Civil Action No. 04-12097-GAO |
| JOHN BALDWIN, LEONARD BELL, JOHANNES KAINDOH AND WAYNE HENDERSON, |))))))))))))))))) () (|
| Intervenor-Plaintiffs |) |
| -against- |))) |
| Washington Group International, Inc. |))) |
| Defendant. |))) |
| | , |

PLAINTIFF, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S, CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

Pursuant to L.R. Mass. 16.1(d)(3) Plaintiff EEOC certifies that its counsel, R. Liliana Palacios, Senior Trial Attorney, has conferred with Elizabeth Grossman, Acting Regional Attorney for the New York District of the Equal Employment Opportunity Commission, with a view to establishing a budget for the costs of conducting the full course – and various alternate courses – of the litigation, and to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

Respectfully submitted,

This 7th day of February, 2005

Elizabeth Grossman Acting Regional Attorney, EEOC

/s/ R. Liliana Palacios (BBO#640786)

Rosa.Palacios@eeoc.gov

Boston Area Office, John F. Kennedy Federal Building, Room 475

Boston, MA 02203-0506

Tel: (617) 565-4804 Fax: (617) 565-3196